

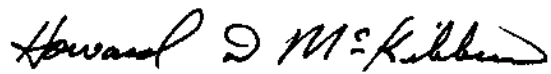
UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Fed. R. Civ. P 4(m) permits the court to dismiss a defendant, on its own initiative after notice to the plaintiff, for the plaintiff's failure to serve a summons on the defendant within 120 days after filing the complaint. Plaintiff filed his second amended complaint naming several defendants, including Ringney, Hall, and Lyons, on September 7, 2010. The court screened and filed the complaint on October 5, 2010. Plaintiff has failed to serve defendants Ringney, Hall, or Lyons. On February 16, 2011, the court gave the plaintiff notice of its intent to dismiss for failure to timely serve those defendants. Plaintiff has not shown

1 good cause to excuse the lack of service. Accordingly, defendants
2 Rigney, Hall, and Lyons are dismissed from this action without
3 prejudice.

4 **IT IS SO ORDERED.**

5 DATED: This 30th day of March, 2011.

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8 UNITED STATES DISTRICT JUDGE
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